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amnesty international

INTERNATIONAL SECRETARIAT
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URGENT ACTION

EXTERNAL (for general distribution)

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UA 198/94 Fear of torture/Arbitrary Detention 23 May 1994

Indonesia/East Timor

Jose Antonio Neves
Nuno de Andrade Sarmento Corvelho
Anibal
Rui Fernandes
Octaviano
Pedro Fatima Tilman
Pantaleão
Miguel
Rosalino
Marcos
Lucas Tilman dos Santos

At least 11 East Timorese have been detained by Indonesian military forces in recent weeks in connection with their non-violent political activities. They include Jose Antonio Neves detained by military intelligence officers on 19 May 1994 in Malang, and at least ten others detained in Dili, East Timor, in the preceding weeks. Amnesty International believes that they may be at risk of being tortured and is seriously concerned for their safety.

A leading member of the pro-independence East Timorese underground, and a student at a theological institute in Malang, East Java, Jose Antonio Neves was arrested by military intelligence authorities at the town's main post office and taken to a safehouse of the military's intelligence unit (*SGI*). According to an unconfirmed report, he was later transferred to the headquarters of Regional Military Command IX in Denpasar, Bali. Indonesian military authorities have denied arresting Jose Antonio Neves, further heightening concern for his safety.

Colleagues said that Jose Neves had recently returned from East Timor where he had been gathering information about human rights violations and political developments, and that on his return to Malang he had hoped to make this available to the international community. One source said that at the time of his arrest he was carrying a letter from the leader of the guerilla resistance, Konis Santana. The letter was to be read out at a conference on East Timor scheduled to take place in Manila in early June.

At least ten other pro-independence activists were detained in Dili in the weeks prior to Jose Neves' arrest. They include: Nuno de Andrade Sarmento Corvelho, and Anibal of Santa Cruz, Dili; Rui Fernandes, of Bemori, Dili; Octaviano, Pedro Fatima Tilman, Pantaleão, Miguel, Rosalino, and Marcos, all of Kuluhun, Dili; and Lucas Tilman dos Santos, of Bairro-Pite. According to reports the ten, and possibly others, were taken to military intelligence headquarters in Dili where they were interrogated about their political activities. One of the ten, Lucas Tilman dos Santos was reported to have been previously detained on 18 April, and apparently released after questioning.

Some of those detained in recent weeks are believed to have been released without charge after questioning, but on 23 May a military spokesperson in Dili said that at least six people had been "detained for questioning" and said they might be brought to court if there was enough evidence against them. He said

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Amnesty International is an independent worldwide movement working for the international protection of human rights. It seeks the *release* of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed, provided they have not used or advocated violence. These are termed *prisoners of conscience*. It works for *fair and prompt trials* for *all political prisoners* and works on behalf of such people detained without charge or trial. It opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of *all prisoners*.

those detained included a number of youths who staged a peaceful protest in Dili in front of foreign journalists in April. In view of the historical pattern of abuse of both political and criminal suspects, there is serious concern for the safety of those still in custody.

Amnesty International is calling on the Indonesian authorities to act immediately to protect the prisoners named above from torture or ill-treatment. It calls upon the authorities to ensure that all detainees are given prompt and unrestricted access to legal counsel of their own choice, as required by Indonesian and international law. Amnesty International urges the government to release immediately all those currently detained for their non-violent political activities, and to cease the practice of short-term arbitrary detention of peaceful political opponents.

BACKGROUND INFORMATION

The arrests of the 11 East Timorese are consistent with a long-standing pattern of short-term detention and ill-treatment of real or alleged political opponents of Indonesian rule in East Timor. In the past two years alone, hundreds of East Timorese political suspects have been held by military authorities for periods ranging from a few hours to several days, before being released without charge; others are known to have been held in military custody without trial for several months. Many of those detained are known to have tortured or ill-treated.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in English or in your own language:

- expressing urgent concern for the safety of Jose Antonio Neves and the ten others named above (please list all the names);
- urging the government to act immediately to protect them from torture or ill-treatment;
- calling upon the government to permit all political detainees to have immediate access to legal counsel of their own choosing;
- urging the government to release immediately all those held for their non-violent political activities.

APPEALS TO

MINISTER OF JUSTICE
Haji Utoyo Usman S.H.
Menteri Kehakiman
Jl. Rasuna Said Kav. 6-7
Kuningan
Jakarta Selatan
Indonesia
Fax: +62 21 3141 625
Telex: 44404 ditjenim ia
Telegrams: Justice Minister, Jakarta, Indonesia
Salutation: Dear Minister Utoyo Usman

MILITARY COMMANDER REGION IX
- covers Bali, Lombok and Nusa Tenggara including East Timor]
Brigadier-General R. Adang Ruchiatna
Pangdam IX/Udayana
Markas Besar KODAM IX Udayana
Denpasar, Bali, Indonesia
Telegrams: Pangdam IX/Udayana, Denpasar, Bali, Indonesia
Salutation: Dear Brigadier-General Adang Ruchiatna

COPIES OF YOUR APPEALS TO:

Lt. Gen. (Ret) Ali Said
Chairman, National Commission on Human Rights
c/o Directorat Jenderal Pemasyarakatan
Jl. Veteran No. 11
Jakarta Pusat
Indonesia

and to diplomatic representatives of Indonesia accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 4 July 1994.

— Please take action as soon as you receive this Urgent Action appeal. Carefully read the recommended actions. If possible, send a telegram, telex, fax or express letter immediately to one or more of the addresses given. Other letters can be sent afterwards.

— Telegrams and letters should be brief and courteous. Stress that your concern for human rights is not in any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:

Article 3 — "Everyone has the right to life, liberty and security of person."

Article 5 — "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article 9 — "No one shall be subjected to arbitrary arrest, detention or exile."

— The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.

— Copies of appeals should be sent to relevant diplomatic representatives in your country.

— In Urgent Actions cases, Amnesty International has to act rapidly on behalf of victims of grave human rights violations. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.

— Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action co-ordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case.